

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

---

KEITH COSBY,

Plaintiff,

– against –

UNITED STATES OF AMERICA,

Defendant.

**NOT FOR PUBLICATION**

**MEMORANDUM & ORDER**

25-MC-1650 (ERK)

---

Korman, *J.*:

Mr. Cosby’s motion to expunge his prior conviction is denied essentially for the reasons set forth in the memorandum from the United States Attorney. *See* ECF No. 2. I do not have jurisdiction to expunge the records of the valid conviction in these circumstances. *Doe v. United States*, 833 F.3d 192, 198–99 (2d Cir. 2016). The relief of expungement is only available when Congress has provided for it in a statute, such as it has for drug offenses committed under the age of twenty-one, *see* 18 U.S.C. § 3607(c), or perhaps in extreme circumstances where the legality of the conviction has been undermined, *see Nordberg v. United States*, No. 21-MC-3118, 2024 WL 2079648, at \*2 (E.D.N.Y. May 9, 2024). Neither is the case here.

Like my colleague Judge Dearie, I am sympathetic to the request for relief. *See Stephenson v. United States*, 139 F. Supp. 3d 566, 572 (E.D.N.Y.

2015). But because I lack the power to order it, I will deny the petition for expungement.

**SO ORDERED.**

Brooklyn, New York  
May 28, 2025

*Edward R. Korman*  
Edward R. Korman  
United States District Judge